

Martin O' Malley
Governor



Shari T. Wilson
Secretary

DEPARTMENT OF THE ENVIRONMENT

Air and Radiation Management Administration
1800 Washington Boulevard, Suite 720
Baltimore, MD 21230

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Construction Permit



Operating Permit

PERMIT NO. 015-0079-4-0223 & 4-0224DATE ISSUED February 8, 2008PERMIT FEE \$1,000.00 (PAID)EXPIRATION DATE In accordance with
COMAR 26.11.02.04B**LEGAL OWNER & ADDRESS**

W.L. Gore & Associates, Inc.
2401 Singerly Road
P.O. Box 1220
Elkton MD 21922-1220
Attn: Mr. Steve D. Lishowid

SITE

Cherry Hill Plant
SAME
CECIL County
Premises# - 0079
AI# - 128

SOURCE DESCRIPTION

Modification of two (2) Burnham No. 2 fuel oil/propane fired boilers, each rated at 9.45 million Btu per hour heat input and equipped with low NOx burners, to include combustion of used oil and waste combustible fluids.

This Permit to Construct supersedes Permit to Construct Number 015-4-0223 & 4-0224 N issued December 13, 2006.

This source is subject to the conditions described on the attached pages.

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[Signature]
Program Manager

[Signature]
Director, Air and Radiation Management Administration

W. L. GORE & ASSOCIATES, INC.
CHERRY HILL
PERMIT-TO-CONSTRUCT CONDITIONS
PERMIT No. 015-0079-4-0223 & 015-0079-4-0224

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Part A – General Provisions

- (1) The following Air and Radiation Management Administration (ARMA) permit-to-construct applications and supplemental information are incorporated into this permit by reference:
 - (a) Application for Fuel Burning Equipment (Form 11) received November 29, 2006 and January 15, 2008 request to burn alternate fuels.
 - (b) Supplemental Information (Emissions calculations and Manufacturers specifications) received November 29, 2006.
 - (c) Supplemental Information (Emissions calculations, Summary of Sample Results and Report of fuel analysis) received January 15, 2008.

If there are any conflicts between representations in this permit and representations in the applications, the representations in the permit shall govern. Estimates of dimensions, volumes, emissions rates, operating rates, feed rates and hours of operation included in the applications do not constitute enforceable numeric limits beyond the extent necessary for compliance with applicable requirements.

- (2) Upon presentation of credentials, representatives of the Maryland Department of the Environment ("MDE" or the "Department") and the Cecil County Health Department shall at any reasonable time be granted, without delay and without prior notification, access to the Permittee's property and permitted to:
 - (a) inspect any construction authorized by this permit;
 - (b) sample, as necessary to determine compliance with requirements of this permit, any materials stored or processed on-site, any waste materials, and any discharge into the environment;
 - (c) inspect any monitoring equipment required by this permit;

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- (d) review and copy any records, including all documents required to be maintained by this permit, relevant to a determination of compliance with requirements of this permit; and
- (e) obtain any photographic documentation or evidence necessary to determine compliance with the requirements of this permit.
- (3) The Permittee shall notify the Department prior to increasing quantities and/or changing the types of any materials referenced in the application or limited by this permit. If the Department determines that such increases or changes constitute a modification, the Permittee shall obtain a permit-to-construct prior to implementing the modification.
- (4) Nothing in this permit authorizes the violation of any rule or regulation or the creation of nuisance or air pollution.
- (5) If any provision of this permit is declared by proper authority to be invalid, the remaining provisions of the permit shall remain in effect.
- (6) The addition of two (2) No. 2 fuel oil/propane/used oil/waste combustible fluids fired boilers qualifies as an "Off Permit" change to the facility's Part 70 Operating Permit. The Department recognizes the permit to construct application as written notification of the proposed change and should be included in the application for the next renewal of the Part 70 permit.

Part B – Applicable Regulations

- (1) This source is subject to all applicable federally enforceable State air pollution control requirements including, but not limited to, the following regulations:
 - (a) COMAR 26.11.01.07C - Report of Excess Emissions.
 - "(1) In the case of any occurrence of excess emissions, expected to last or actually lasting for 1 hour or more, from any installation required by COMAR 26.11.02.13 to obtain a State permit to operate, the owner or operator shall report the onset and shall report the termination of the occurrence to the Department by telephone.
 - (2) Telephone reports of excess emissions shall include the following information:
 - (a) The identity of the installation and the person reporting;
 - (b) The nature or characteristics of the emissions (for example, hydrocarbons, fluorides);
 - (c) The time of occurrence of the onset of the excess emissions and the actual or expected duration of the occurrence; and

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- (d) The actual or probable cause of the excess emissions."
- (b) COMAR 26.11.02.09A – Sources subject to Permits to Construct and Approval. "A person may not construct or modify or cause to be constructed or modified any of the following sources without first obtaining, and having in current effect, the specified permits to construct and approvals: (6) All sources, including installations and air pollution control equipment, except as listed in Regulation .10 of this chapter--permit to construct required."
- (c) COMAR 26.11.09.05A(1) – Visible Emissions. "A person may not cause or permit the discharge of emissions from any fuel burning equipment, other than water in an uncombined form, which is greater than 20 percent opacity."
COMAR 26.11.09.05A(3) Exceptions. "Section A(1) and (2) of this regulation do not apply to emissions during load changing, soot blowing, startup, or adjustments or occasional cleaning of control equipment if:
(a) The visible emissions are not greater than 40 percent opacity; and
(b) The visible emissions do not occur for more than 6 consecutive minutes in any sixty-minute period."
- (d) COMAR 26.11.09.07A - Control of Sulfur Oxides From Fuel Burning Equipment.
Sulfur Content Limitations for Fuel. "A person may not burn, sell, or make available for sale any fuel with a sulfur content by weight in excess of or which otherwise exceeds the following limitations: (1) In Areas I, II, V, and VI: (c) Distillate fuel oils, 0.3 percent."
- (3) This source is subject to all applicable State-only enforceable air pollution control requirements including, but not limited to, the following regulations:
- (a) COMAR 26.11.06.08 - Nuisance. "An installation or premises may not be operated or maintained in such a manner that a nuisance or air pollution is created. Nothing in this regulation relating to the control of emissions may in any manner be construed as authorizing or permitting the creation of, or maintenance of, nuisance or air pollution."
- (b) COMAR 26.11.06.09 – Odors. "A person may not cause or permit the discharge into the atmosphere of gases, vapors, or odors beyond the property line in such a manner that nuisance or air pollution is created."

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(c) COMAR 26.11.09.10 - Requirements to Burn Used Oil and Waste Combustible Fluid as Fuel.

A. General Requirements.

"(1) A person who proposes to burn used oil or waste combustible fluid in an installation shall submit the following information to the Department:

(a) A description of, and the location of, each fuel-burning equipment or other installation in which the used oil or WCF is to be burned and the rated heat input capacity of each;

(b) The type and amount of fuel currently being used in each installation and the gallons of used oil or WCF expected to be burned annually;

(c) The maximum percentage of used oil or WCF to be burned as fuel in each installation; and

(d) An analysis by an independent laboratory of a representative sample of the used oil or WCF, which shall include the concentration of each of the materials listed in §B of this regulation, the PCB concentration, and the flash point.

(2) A person may burn on-specification used oil in any installation upon submitting the information required in §A(1) of this regulation.

(3) A person who is burning used oil or WCF under a current approval issued by the Department may continue to burn the approved material if:

(a) The person registers the equipment that is burning the used oil or WCF by submitting the information required in §A(1) of this regulation; and

(b) The used oil or WCF is being burned in an authorized installation.

(4) A person who proposes to burn off-specification used oil or WCF in an installation other than a space heater, as provided in 40 CFR §279.23, is subject to the permit or registration requirements in COMAR 26.11.02.

(5) A person who receives a permit or registration to burn used oil or WCF shall burn only the materials authorized in the permit or registration.

(6) A person may burn off-specification used oil and waste combustible fluid only in those installations listed at 40 CFR §279.12(c).

B. Specifications for Used Oil.

(1) Except as provided in §B(2) of this regulation, used oil specifications are as follows:

Material	Allowable Level
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(a) Lead	100 ppm
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(b) Total halogens	4,000 ppm
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(c) Arsenic	5 ppm
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(d) Cadmium	2 ppm
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(e) Chromium	10 ppm
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(f) Flash point	100° F minimum
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(2) For used oil that does not satisfy the rebuttable presumption for halogens at 40 CFR 279.10(b)(1)(ii) and 279.63, the maximum allowable level for halogens may not exceed 1,000 ppm.

C. Requirements for Burning Used Oil or WCF Containing PCB.

(1) Used oil or WCF containing quantifiable levels of PCB (2ppm) or greater but less than 50 ppm may be burned only in those installations listed at 40 CFR §279.12(c) or 40 CFR 761.

(2) Used oil or WCF containing PCB with a concentration of 50 ppm or greater is hazardous waste."

Part C – Construction and Operating Conditions

- (1) Except as otherwise provided in this part, the two (2) Burnham boilers each rated at 9.45 million Btu per hour heat input shall be constructed in accordance with specifications included in the applications.
- (2) The two (2) Burnham boilers shall burn No. 2 fuel oil, propane, used oil or waste combustible fluids only.
- (3) The two (2) Burnham boilers shall be equipped with low NO_x burners.
- (4) The two (2) Burnham boilers shall not burn any distillate fuel oil with sulfur content greater than 0.3% by weight.

Part D – Record Keeping and Reporting

- (1) The Permittee shall retain records of plant-wide fuel usage and hours of operation for the boilers on site.
- (2) All records required under this permit shall be maintained on site by the Permittee for at least five (5) years and shall be made available to the Department upon request.
- (3) All notifications and reports required by this permit shall be submitted to:

Administrator
Compliance Program
Maryland Department of the Environment
Air and Radiation Management Administration
1800 Washington Blvd, Suite 715
Baltimore, Maryland 21230

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- (4) The Permittee shall report, in accordance with requirements under COMAR 26.11.01.07, occurrences of excess emissions to the Compliance Program of the Air and Radiation Management Administration.